

MESSAGE NO: 2276302 MESSAGE DATE: 10/02/2012

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-913

EFFECTIVE DATE: 12/17/2007 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing duty scope determination on certain new pneumatic off-the-road tires from the People's Republic of China (C-570-913).

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Igloo Products Corp ("Igloo"). Commerce issued a final scope determination on 09/24/2012 that Igloo's certain new pneumatic off-the-road tires ("OTR tires"), with a 10 inch overall diameter, 5 inch rim diameter and 3 inch section width, which Igloo imports, are not within the scope of the countervailing duty order on OTR tires from the People's Republic of China ("PRC") (C-570-913).
2. Commerce determined that Igloo's OTR tires identified above are outside the scope of the order because they do not meet the physical characteristics delineated in the plain language of the scope, i.e., they have a rim diameter of 5 inches. Therefore, Igloo's OTR tires are not within the scope of the countervailing duty order on OTR tires from the PRC.
3. For all entries of the tires identified in paragraph 1 above that remain that remain unliquidated on or after 12/17/2007, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to the OTR tires described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of OTR tires entered, or withdrawn from warehouse, for consumption on or after 12/17/2007.
6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of

estimated countervailing duties are required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of OTR tires from the PRC not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O8:RS.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party